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Dated: March 22, 2004

Signature: *Shawn P. Foley*
(Shawn P. Foley)

Docket No.: SERAGEN 3.0-002
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(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Terry B. Strom

Application No.: 10/020,648

Group Art Unit: 1646

Filed: December 12, 2001

Examiner: P. M. Mertz

For: LYSING OR BLOCKING UNWANTED
CELLS WITH IL-2 RECEPTOR-SPECIFIC
BINDING SUBSTANCE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Office Action mailed February 20, 2004, setting forth a Restriction Requirement in connection with the captioned application. In the Office Action, the Examiner required restriction to one of the following inventions under 35 U.S.C. §121:

- I. Claims 1-6, drawn to a method of lysing malignant cells in a mammal using an antibody to the IL-2 receptor;
- II. Claims 1-5, and 7, drawn to a method of lysing malignant cells in a mammal using IL-2 linked to a cytotoxin;
- III. Claims 8-10, and 11-13, drawn to a method of inhibiting the T-lymphocyte-induced rejection of an allograft in a mammal by administering an antibody to the IL-2 receptor;
- IV. Claims 8-10, and 14 drawn to a method of inhibiting the T-lymphocyte-

induced rejection of an allograft in a mammal by administering IL-2 linked to a cytotoxin; and

V. Claim 15, drawn to a method of treating a patient with acute autoimmune disease by administering a substance having a specific affinity for IL-2 receptors.

In response, Applicants hereby elect the invention of Group IV, corresponding to claims 8-10, and 14. This election is being made without traverse. Applicants reserve the right to file a divisional application corresponding to the non-elected claims.

In the event any fee is due in connection with the present response, the Examiner is authorized to charge Applicant's Deposit Account No. 12-1095 therefor.

Dated: March 22, 2004

Respectfully submitted,

By Shawn P. Foley
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